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Charge of Embezzlement

That the jury in the case of F. A. Hubbell, charged with embezzlement of county funds, did not acquit him of the charge, is matter of surprise. That it stood eleven to one in favor of acquittal, must convince those who know of the case that there was some reason other than the evidence which led one man to differ from the eleven, and to maintain that difference with stubborn tenacity to the very end. If the result had been the reverse of what it was—if eleven jurors in any case find the defendant guilty and one man stubbornly maintains his innocence, and thus procures a mistrial, the general judgment ninety-nine times out of one hundred is that the one man had reasons personal to himself for the isolation of his opinion.

This conclusion can be but strengthened in the case of Mr. Hubbell from the fact that the charge of embezzlement of county funds is a peculiar one, to say the least, when the facts are known. Briefly they are these: F. A. Hubbell was de jure and de facto county treasurer. As such he held the county funds in bank, deposited to his credit in his official position. The governor removed Mr. Hubbell and appointed another to the office. Mr. Hubbell resisted the governor's right to such action, and the question of the legality of the governor's act is now before the courts. Pending legal decision of the question at issue, demand was made upon Mr. Hubbell for custody of the county office and funds by the new appointee but without any legal process. Naturally, and by advice of his attorneys, Mr. Hubbell declined compliance until the question should be legally settled.

Following the demand, Mr. Hubbell continued for a month in occupancy of the office, and in the discharge of his duty collected and paid out moneys as required by law. Then it was that the sheriff came with a number of deputies and by force, but without any legal process, took possession of the office. Since then, the county funds have remained in the bank to Mr. Hubbell's official credit and in exactly the same condition and amount as when he was physically ejected from his office. How this can be construed into embezzlement is a proposition which the lay mind finds difficulty in apprehending.

If the tenure of the office, which is now in litigation, shall be decided against Mr. Hubbell, and legal demand be made for the funds and he then be not able to produce and turn them over, there might at that time arise talk of embezzlement. To embezzle means "to appropriate or to divert fraudulently to one's own use, as money or goods entrusted to one's care and control officially or by another." Mr. Hubbell has not diverted to his own use, either fraudulently or non-fraudulently—he has not diverted to his use at all—the county's money, since it has never ceased to be in the bank, in full amount and to his credit as treasurer of the county. On the other hand, if the final legal decision shall be against the right of the governor to remove Mr. Hubbell, then of course it will result that he has been the rightful custodian of the funds all the time; and any surrender of them, before the final decision, would then assume the character of official misconduct, and largely endanger both Mr. Hubbell and his sureties.

The unanimity of eleven intelligent men out of twelve, in saying that Mr. Hubbell has not been guilty of embezzlement, is not surprising in view of these facts in the case.

England's Birth Rate

The English registrar general's announcement that the birth rate in England during the last half of 1905 is the lowest on record, is pretty sure to stir up fresh lamentations. Outcries against low birth rate, however, do not appear to have had much effect in the past, nor will they have in the future.

The English people are beginning to realize that modern civilization, about which orators talk such sonorous rubbish, has its disadvantages. It sometimes develops some very unnatural conditions, from some of which England is now suffering. The natural course is for young men to marry early and have large families—ten or a dozen children not being beyond reason. It is idle to unnatural social and industrial conditions that they put off marrying until they are between 30 and 40, and then are content with one child. But what is the result of trying to be natural under unnatural conditions? Look at the awful misery of the London slums. Read about the enormous number of poor clerks who apply for any position that is advertised. These are results of a population already crowded far beyond the industrial room for it under England's present industrial system.

The horde of unemployed, the fierce struggle for existence, the overflowing of the almshouses, the crowding of the insane asylums, the highness of rates, the lowness of wages—all these are results of thoughtless people following the "natural" course under unnatural conditions and filling their homes with children whom they cannot afford to keep. There is plenty of room in England for more people if they were properly distributed. But unjust laws have forced the people from the soil and filled to overflowing the cities which already were too closely packed. England need not worry over a declining birth rate until she has shown herself better able to provide employment and comfort for the population she now has.

Dr. Jekyll and Mr. Hyde

Charles Devine, a Philadelphia letter carrier, has been arrested for robbing the United States mails. In his career may be found a striking parallel to Stevenson's weird tale of "Dr. Jekyll and Mr. Hyde."

When sober, Devine was an honest, industrious, capable worker. But let him take a few drinks of whiskey and his whole nature changed. As the detectives put it, "His eyes would draw nearer together, his mouth narrow to a thin slit and a general air of crafty cunning was noticeable by a close observer." No matter how much he was intoxicated, Devine never showed it by a flushed face or thick utterance or staggering gait. The cunning thief covered up his tracks for several years. As if by a magician's wand the invisible spirit of wine transformed this man from an honest worker to a shifty fiend.

And there are others. Many a man is all right when he is sober and all wrong when he drinks. He may not be changed into a cunning criminal like Devine, but the devil in him, caged, will come out roaring, shaken with rage and lust to inflict pain. He who pampers his appetite for liquor will find like Dr. Jekyll that "the insurgent horror is knit to him closer than a wife, closer than an eye; lay caged in his flesh where he hears it mutter and feels its struggles to be born." So long as Mr. Hyde waited for him around the corner, Dr. Jekyll was never safe. So long as a few drinks over at the corner saloon will release the brute that is in him, no man is safe.

Detroit Free Press: It is but a few years since the west was dependent upon Wall street for money with which to move its crops. Every autumn there came demands upon the coffers of eastern capitalists until the yield of the western prairies had been marketed. The margins from these transactions found their way into the pockets of the men who made possible the moving of the crops and furnished a profitable field of operation. Conditions have changed, however. The accumulation of wealth has been sufficient to reverse the former order of things and western capital is now finding its way eastward for investment. Wall street no longer shapes the financial destiny of the country. Lambs may be fleeced there, but the farmer is unimpaired of this fact. He is too busy sharing in the general prosperity to concern himself with such trifles.

Kind Words Are Always Immortal

From Business Man's Magazine

Drop a pebble in the water, just a splash and it is gone. But there's half a hundred ripples circling on and on and on. Spreading, spreading from the center, flowing on out to the sea. And there ain't no way of telling where the end is going to be.

Drop a pebble in the water, in a minute you forget. But there's little waves a-flowing, and there's ripples circling yet. And those little waves a-flowing to a great big wave have grown. And you've disturbed a mighty river just by dropping in a stone.

Drop an unkind word or careless, in a minute it is gone. But there's half a hundred ripples circling on and on and on. They keep spreading, spreading from the center as they go. And there ain't no way to stop them once you've started them to flow.

Drop an unkind word or careless, in a minute you forget. But there's little waves a-flowing and there's ripples circling yet. And perhaps in some sad heart a mighty wave of tears you've stirred. And disturbed a life that's happy when you dropped that unkind word.

Drop a word of cheer and kindness, just a flash and it is gone. But there's half a hundred ripples circling on and on and on. Bearing hope, and joy and comfort on each splashing, dashing wave. Till you wouldn't believe the volume of the one kind word you gave.

Drop a word of cheer and kindness, in a minute you forget. But there's gladness still a-swelling and there's joy a-circling yet. And you've rolled a wave of comfort whose sweet music can be heard Over miles and miles of water just by dropping a kind word.

Where Old Maids Are Appreciated

A. S. Monroe, in The Financial Review.

It seems that some people, having assumed that the pretty girl is given preference by the average employer, are wondering what becomes of the girl who is not only plain, but no longer young, and who does not marry.

In the first place it is a wrong supposition that the pretty girl is generally preferred; many business men, young ones, also, who are supposed to be quite impressionable, refuse to hire pretty girls, claiming that they do not take the really active interest in their work that plain ones do, and make less satisfactory employees. They have a theory that the pretty girl's mind must be on her curls and her dimples and the admiration she elicits from the male half of the population. Naturally, if such were the case, she would not give as good service as her homely sister, and business men—the successful ones—are running their businesses primarily for the purpose of making money. Therefore they hire their help without regard for sentiment, but to get the most work in return for the amount of money invested. The plain girl is not discriminated against excepting by a class of employers that it would not be to her credit to please.

"But what becomes of the old girls who do not marry?" This is readily answered by a little insight into human nature and the law of living. It is certainly true that people get what they go after in this world, to a certain extent. They may not reap in full measure that which they sow, but there is always a partial crop, at least, and most assuredly they do not reap that which they do not sow. A girl who has matrimony in mind—whether pretty or plain, for the plain girl marries quite as readily as the pretty one—dresses with greater care, spends her salary on becoming clothes, lives only in the thought of some man some day assuming the burden of her future, and, as she is on the lookout for a husband, she naturally finds one. It never seems to her worth while to save money, because she knows she is "working" only temporarily, and she prefers the ribbons, laces, hats, etc., that her salary will buy to a bank account. A man is readily attracted by the prettily and daintily dressed girl, and her problem in life is easily settled.

There are many other young women naturally thrifty who would feel that their working hours were wasted if their pay went merely for things of temporary value. They have the business instincts of a man, and they must, according to the nature of their beings, put aside a part of their salaries each week. As the years go on they become keenly interested in watching their bank accounts grow larger with each week's savings. They become more economical with the passage of time, and even take to doing their own sewing at night and economizing in other little things that they may save more money.

The employer notices their thrifty ways and feels confidence in them as women who could no more waste another's money than their own. They are safe people to put in charge of the work, as they will allow no "soldering" among the help, neither will they waste supplies. They become forewomen and general managers. They are promoted as readily as a man would be, because the employer does not believe they will marry now, and he comes to look upon them as fixtures. Their services are valued and they are paid almost the same salary, and often exactly the same, that a man would receive for the identical work. You will find them in every establishment in the city where there is a good sized office force, and often as managers of the business where there are no other employees save a stenographer and an office boy.

One woman who was a pretty, young girl seeking a \$5 position fifteen years ago, is forewoman of the establishment that first gave her a position. She has twenty stenographers under her, and her position is one requiring such intimate acquaintance with the business that unless she chooses to make a change she can consider the position, paying her about \$100 a month, hers for life.

A woman in business is not dropped except for inefficiency. Some employers prefer men because they naturally think the woman will marry and leave them just as she has learned enough about the business and has gained enough business judgment to be of real value; but if the woman passes the so-called marrying age safely they look upon her as they would a man who has given them an equal number of years of good service and hold to her, advancing her as her qualifications warrant.

Small Folks' Point of View.

Dora, who at the age of seven had had two step-fathers, rather startled a friend of the family by asking seriously: "Which one of my papas do you think I look like?"

Kitty, four and a half years old, having been spanked for some act of disobedience, turned upon her mother and, choking down her sobs, said, with all the dignity at her command: "Well, now I hope you're satisfied."

Little Marjorie had been enjoying herself among a brood of tiny chicks. Several of them she had grasped tightly and held with their heads under water until they lay before her at last, stark and stiff and kickless. Then, her mother having appeared on the scene, Marjorie said earnestly: "Dem little chickens dinked and dinked and dinked till they died!"—Pacific Monthly.

POLICE COURT

John Murphy drained off several glasses of Christmas booze yesterday and as usual was transferred into a lunatic. He ran madly through the streets and alleys, through the lowlands and verily onto the highlands, laboring under the hallucination that he was to be assassinated by a blood-thirsty gang who were pursuing him. A patrolman took after Murphy, captured him and allayed the fellow's fears by separating him from the mythical mob behind the bars of the city prison. The following from Judge Crawford this morning penetrated Murphy's aching head: "I let you off only a few mornings ago. I am going to send you up for five days this time. The booze will have a chance to soak out of you in that time. If you are brought before me again I will send you to jail for thirty days. If that is not enough I will multiply it by two."

John Rhodes and George Harrison, both colored, were arrested for fighting and intoxication. Rhodes was convicted and sentenced to work on the streets for five days. Harrison was discharged.

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